

Case No. 3:22-mj-00126

DISTRICT OF OREGON)
) ss. AFFIDAVIT OF VINCENT DAWSON
COUNTY OF MARION)

Affidavit in Support of a Criminal Complaint

I, Vincent Dawson, being first duly sworn, hereby depose and state as follows:

Introduction and Agent Background

1. I am an investigative or law enforcement officer of the United States, within the meaning of Section 2510(7) of Title 18, United States Code, and am empowered by law to conduct investigations of and to make arrests for offenses enumerated in Section 2516 of Title 18, United States Code. I am a Detective Sergeant for the City of Salem, Oregon and currently assigned as a Task Force Officer (TFO) for the Drug Enforcement Administration with the Salem Oregon Resident Office I have been employed as a sworn officer for over 12 years and am eligible to make application for a search warrant. I have been a Sergeant for over the past 6 years. I have had all phases of police training including the investigation of property crimes, stolen vehicles, thefts, burglaries, frauds, narcotics crimes, laws of arrest, and search and seizures. I received my training through the Oregon Department of Public Safety Standards and Training for Basic, Intermediate, Advanced and Supervisory certification as a police officer in the State of Oregon. Over the past 12 years I have conducted several narcotics investigations stemming from traffic stops, knock and talks and field interviews, resulting in several felony convictions. I am familiar with investigations of drug trafficking organizations, including methods of importation and distribution of controlled substances. I have assisted with multiple investigations, including wiretap investigations, and cases involving organizations trafficking several different controlled substances to include heroin, methamphetamine, cocaine, counterfeit

oxycodone pills and marijuana. These investigations have resulted in the seizure of controlled substances as well as United States currency and the prosecution of many defendants.

Purpose of Affidavit

2. This affidavit is submitted to support a criminal complaint and arrest warrant for **JESUS GABRIEL ALONSO LEYVA VALENZUELA**, Hispanic male, date of birth xx/xx/1996 (hereinafter “**LEYVA VALENZUELA**”), for possession with intent to distribute a controlled substance, to-wit: 100 grams or more of a mixture and substance containing heroin and 400 grams or more of a mixture and substance containing fentanyl (N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propenamide), all in violation of Title 21, United States Code, Section 841(a)(1), 841(b)(1)(A), and 841(b)(1)(B).

3. I have obtained the facts set forth in this affidavit through my personal participation in the investigation described below; from oral and written reports of other law enforcement officers; and, from records, documents and other evidence obtained during this investigation. I have obtained and read official reports prepared by law enforcement officers participating in this investigation and in other related investigations.

Probable Cause

4. On Friday July 8, 2022, I applied for and received federal search warrants for **LEVYA VALENZUELA**'s residence ([REDACTED], Salem, Oregon) and vehicle (a Kia Rio) based on a Salem DEA and Salem Police Department narcotics investigation. The search warrants were based upon probable cause that **LEVYA VALENZUELA** was selling counterfeit M30 prescription pills that are manufactured with fentanyl as a result of a series of controlled drug buys we conducted from **LEVYA VALENZUELA** utilizing a cooperating defendant.

5. On July 11, 2022, we executed the federal search warrants on **LEVYA VALENZUELA**'s vehicle (a Kia Rio) and home ([REDACTED], Salem, Oregon). At approximately 1530 hours, within Salem, Oregon, a marked Salem Police Department patrol vehicle conducted a traffic stop on **LEVYA VALENZUELA**'s vehicle (a Kia Rio). **LEVYA VALENZUELA** was the driver and sole occupant of the vehicle. Pursuant to the federal search warrant, the Kia Rio was searched and officers located and seized approximately 211 grams of powdered fentanyl, approximately 2,600 counterfeit M30 prescription pills that are manufactured with fentanyl (weighing approximately 264 grams), and approximately 104 grams of heroin.

6. Following the traffic stop, officers served a search warrant on **LEVYA VALENZUELA**'s residence located at [REDACTED], Salem, Oregon. Inside of a black locked safe in **LEVYA VALENZUELA**'s bedroom officers found and seized approximately 256 grams of powdered fentanyl, approximately 7,100 counterfeit M30 prescription pills that are manufactured with fentanyl weighing approximately 714 grams), and 367 grams of heroin.

7. Officers later performed field tests on the heroin and powdered fentanyl seized from the vehicle and residence. I have found these field tests to be reliable. Each field test provided a presumptive positive result for the presence of the suspected controlled substances. I know heroin is a Schedule I controlled substance and fentanyl is a Schedule II controlled substance. A picture of the drugs seized from **LEVYA VALENZUELA** is below:



8. I know, based upon my training and experience, that heroin is typically used in quantities of approximately one-tenth (.1) of a gram and ingested either intravenously, snorted or smoked. Accordingly, I know that a person possessing more than 100 grams of heroin does not possess it for personal use but rather such a quantity indicates that it is possessed for purposes of further distribution.

9. I also know that drug traffickers are increasingly selling counterfeit M30 prescription pills that are manufactured with fentanyl (N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propenamide), a Schedule II controlled substance. These counterfeit pills are designed to replicate real 30 mg Oxycodone Hydrochloride pills, which are round, blue in color, and stamped with an “M” and “30” on them. Drug dealers regularly counterfeit these pills and, while attempting to replicate the round shape, the blue color, and the stamp of “M” and “30,” they are instead manufacturing these pills with fentanyl as the active ingredient. The counterfeit pills, while looking roughly similar to the real thing can often be distinguished based upon their appearance. The counterfeit M30 pills often have a different shade of blue than the real thing

and sometimes they are even manufactured in different colors, the edges of the pills and the stamped impressions are often rough and lack the precision of a real 30 mg Oxycodone Hydrochloride pill, and sometimes the counterfeit pills will crumble easily under pressure. I have seen and seized tens of thousands of these counterfeit M30 pills and subsequent lab reports on the samples submitted have confirmed the presence of fentanyl within them. I know a user amount of a counterfeit M30 pill is often one pill, which can either be ingested or burned and inhaled. I know some addicts will smoke up to 10 to 15 pills a day. I know that a person possessing approximately 9,000 suspected counterfeit M30 pills manufactured with fentanyl does not possess those pills for personal use but rather such a quantity indicates that they are possessed for purposes of further distribution.

10. I also know that powdered fentanyl, a synthetic opioid, is sometimes sold to addicts for their use, as well as sold to other dealers who use the powdered fentanyl to manufacture counterfeit pills. I know that fentanyl is extremely potent and up to 50 times stronger than heroin and 100 times stronger than morphine. The estimated lethal dose of fentanyl is approximately 2 mg. I know that users of powdered fentanyl often ingest it by burning it on a piece of foil and inhaling the fumes and that users use less than 1 mg. at a time. I know that a person possessing over 5 grams of powdered fentanyl does not possess it for personal use but rather such a quantity indicates it is possessed for purposes of further distribution.

Conclusion

11. Based on the foregoing, I have probable cause to believe, and I do believe, that **JESUS GABRIEL ALONSO LEYVA VALENZUELA**, committed the crimes of possession with intent to distribute a controlled substance, to-wit: 100 grams or more of a mixture and

substance containing heroin and 400 grams or more of a mixture and substance containing fentanyl (N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propenamide), all in violation of Title 21, United States Code, Section 841(a)(1), 841(b)(1)(A), and 841(b)(1)(B). I therefore request that the Court issue a criminal complaint and arrest warrant for **JESUS GABRIEL ALONSO LEYVA VALENZUELA**.

12. Prior to being submitted to the Court, this affidavit, the accompanying complaint and the arrest warrant were all reviewed by Assistant United States Attorney Scott Kerin. AUSA Kerin advised me that in his opinion the affidavit and complaint are legally and factually sufficient to establish probable cause to support the issuance of the requested criminal complaint and arrest warrant.

By phone pursuant to Fed R. Crim. P. 4.1

Vincent Dawson
Task Force Officer
Drug Enforcement Administration

Subscribed and sworn in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone at 8:07 p.m. on July 11, 2022.



HONORABLE ANDREW HALLMAN
UNITED STATES MAGISTRATE JUDGE